

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
710 E STREET, SUITE 200
EUREKA, CA 95501
(707) 445-7833 FAX (707) 445-7877

www.coastal.ca.gov

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NORTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT

For the

October Meeting of the California Coastal Commission

MEMORANDUM

Date: October 17, 2008

TO: Commissioners and Interested Parties
FROM: Peter Douglas, North Coast District Deputy Director
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the North Coast District Office for the October 17, 2008 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the North Coast District.

DE MINIMIS WAIVERS

1. 1-08-036-W Humboldt County Department Of Public Works, Attn: Hank Seemann (, Humboldt County)
2. 1-08-040-W California Department Of Fish & Game, Attn: Kirsten Ramey, Associate Marine Biologist (, Humboldt County)
3. 1-08-041-W Molly Jorge (Arcata, Humboldt County)
4. 1-08-042-W California Department Of Transportation, Attn: Mitchell Higa, Gail Popham & Alan Radford (Eureka, Humboldt County)

TOTAL OF 4 ITEMS

DETAIL OF ATTACHED MATERIALS

REPORT OF DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
1-08-036-W Humboldt County Department Of Public Works, Attn: Hank Seemann	Conduct a pilot test to collect information needed to complete the planning and design for sediment removal and reuse activities associated with the Salt River Ecosystem Restoration Project (SRERP), a future large-scale restoration project being jointly planned by the County and various state and local agencies. The SRERP is planned for implementation in 2009 pending acquisition of the coastal development permit and other permits. The pilot project includes removal of sediment (totalling less than 40 cubic yards) and vegetation (totalling 4 to 6 willow and red alder trees less than four inches in diameter and 10-15 feet tall) at three locations within the aggraded Salt River channel, each with an area of 300 square feet (10 feet wide by 30 feet long) and depth of 3.5 feet. Sites will be accessed using existing roads or across dry pasture ground only (no construction of temporary access roads is necessary or proposed). Vegetation will be cut at ground level prior to excavation. Spoils will be removed with a backhoe or excavator, placed directly into a dump truck, and transported to the stockpiling site, an upland location on Riverside Ranch (APN 100-111-001). The three work sites will be left with free-standing side-slopes (approximately 50 percent slope) and mulched for erosion control following excavation. Erosion control measures for the stockpile site include silt fencing, mulching, and straw wattles. The stockpiled material will be evaluated to assess drying time, extent of conditioning required, and bulk properties including moisture content, presence of large organic material, and grain size composition. Excess material from the pilot test will be incorporated into the sediment management plan developed for the SRERP. The pilot test is scheduled for October 2008 (prior to the rainy season) and is expected to take 1 to 2 days to complete.	Within the existing and former Salt River channel at river miles 3.53 (Site 1), 4.96 (Site 2), and 6.05 (Site 3), near the City of Ferndale, Humboldt County

1-08-040-W

California Department Of
Fish & Game, Attn: Kirsten
Ramey, Associate Marine
Biologist

Conduct experimental eradication methods at 54 one-square-meter experimental plots within the intertidal zone of McNulty Slough to develop a management plan for the eradication of the invasive Japanese eelgrass, *Zostera japonica*. There will be three different treatment types (excavation, thermal, and covering) across 48 plots plus six control (no treatment) plots for a total of 54 one-square-meter experimental plots. The proposed treatment plots will be marked with PVC stakes for monitoring during the proposed one month monitoring period. At the six excavation plots, all *Z. japonica* and substrate will be removed by hand using shovels to a depth of four inches below the surface to ensure removal of rhizomes. All plant material and mud will be placed in heavy-gauge plastic bags and transported off-site for disposal at a landfill. At the 36 thermal plots, 12 will be treated with hot water (generated from a computer-controlled boiler mounted on a trailer operated from the boat ramp or levee and delivered via a supply hose and treatment wand), 12 with a hand-held propane flame weeder, and 12 will receive infrared treatment (using a hand-held propane burner aimed at a ceramic element or steel plate that radiates heat up to 2000 degrees). At the six covered plots, squares of perforated black plastic and carpet will be placed across plots, wired to plot corners with stakes, and covered with large clean river rocks to insure cover materials remain in place. Experimental plots will be monitored weekly for one month in November 2008, and based on the experiment results, a management plan for eradication of the larger area of invasive plants will be developed and a coastal development permit application will be submitted.

McNulty Slough, Humboldt County

1-08-041-W

Molly Jorge

Rehabilitate an existing livestock well on an agricultural parcel by augering within the existing well casing and removing accumulated sand and other material from the well and spreading the removed material on an existing upland area.

910 Jackson Ranch Road, Arcata (Humboldt County)

1-08-042-W

California Department Of
Transportation, Attn:
Mitchell Higa, Gail Popham
& Alan Radford

Perform 23 subsurface soil borings, each approximately 3 inches in diameter, and extract soil samples for geotechnical investigation purposes and to determine the possible presence of soil contamination, as part of the planning and design of highway improvements between Eureka and Arcata. The soil samples and any pumped water associated with the sampling (which will be pumped and confined in barrels), will be disposed (without re-mixing the materials) in accordance with the laboratory recommendation. Boring locations will be backfilled with a bentonite (clay) mixture, without concrete, at a depth of at least two feet below surface (to avoid possible cross contamination of soil horizons due to surface water infiltration), with backfill of native soil in the upper two feet. The work will be undertaken during the rainy season with Best Management Practices and protocols (submitted with application) to ensure that each boring site is protected from runoff (no work will be undertaken if rain is predicted or commences and generates surface runoff). The work will be undertaken between October 20, 2008 and November 1, 2009.

4056 Highway 101 North, along the highway shoulder and median at Bracut (between Eureka and Arcata), Eureka (Humboldt County)

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: October 15, 2008
TO: Humboldt County Department Of Public Works, Attn: Hank Seemann
FROM: Peter M. Douglas, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 1-08-036-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: **Humboldt County Department Of Public Works, Attn: Hank Seemann**

LOCATION: **Within the existing and former Salt River channel at river miles 3.53 (Site 1), 4.96 (Site 2), and 6.05 (Site 3), near the City of Ferndale, Humboldt County (APN(s) 100-291-10, 100-111-08, 100-161-07, 100-112-14, 100-191-13, 106-021-77, 100-111-01)**

DESCRIPTION: **Conduct a pilot test to collect information needed to complete the planning and design for sediment removal and reuse activities associated with the Salt River Ecosystem Restoration Project (SRERP), a future large-scale restoration project being jointly planned by the County and various state and local agencies. The SRERP is planned for implementation in 2009 pending acquisition of the coastal development permit and other permits. The pilot project includes removal of sediment (totalling less than 40 cubic yards) and vegetation (totalling 4 to 6 willow and red alder trees less than four inches in diameter and 10-15 feet tall) at three locations within the aggraded Salt River channel, each with an area of 300 square feet (10 feet wide by 30 feet long) and depth of 3.5 feet. Sites will be accessed using existing roads or across dry pasture ground only (no construction of temporary access roads is necessary or proposed). Vegetation will be cut at ground level prior to excavation. Spoils will be removed with a backhoe or excavator, placed directly into a dump truck, and transported to the stockpiling site, an upland location on Riverside Ranch (APN 100-111-001). The three work sites will be left with free-standing side-slopes (approximately 50 percent slope) and mulched for erosion control following excavation. Erosion control measures for the stockpile site include silt fencing, mulching, and straw wattles. The stockpiled material will be evaluated to assess drying time, extent of conditioning required, and bulk properties including moisture content, presence of large organic material, and grain size composition. Excess material from the pilot test will be incorporated into the sediment management plan developed for the SRERP. The pilot test is scheduled for October 2008 (prior to the rainy season) and is expected to take 1 to 2 days to complete.**

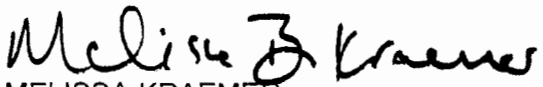
RATIONALE: **The proposed pilot test will provide needed information for the SRERP, a large-scale restoration project being designed to improve fish habitat, water quality, and drainage on a major tributary to the Eel River, which is severely impaired with excess sediment and vegetation (growing opportunistically since the sedimentation and major hydraulic dysfunction in the Salt River began accelerating in the mid-1990s). The limited number of trees (4-6) to be removed in the proposed pilot test from Sites 1 and 3 is necessary to evaluate the effort that will be needed in the SRERP to separate tree roots from the sediment during post-removal management of the material. To minimize impacts to wetlands and ESHA from the pilot test itself, work sites have been selected to avoid**

significant impacts to riparian vegetation, work will be conducted in the dry season, and no new access roads will be constructed. Erosion control measures will be in place at excavation sites and around the stockpile site, which is located in an upland area. As proposed, the project will not adversely affect coastal resources and is consistent with all Chapter 3 policies of the Coastal Act.

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Friday, October 17, 2008, in Ventura . If four Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
PETER M. DOUGLAS
Executive Director


By: MELISSA KRAEMER
Coastal Program Analyst

cc: Local Planning Dept.

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: October 14, 2008

TO: California Department Of Fish & Game, Attn: Kirsten Ramey, Associate Marine Biologist

FROM: Peter M. Douglas, Executive Director

SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 1-08-040-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: **California Department Of Fish & Game, Attn: Kirsten Ramey, Associate Marine Biologist**

LOCATION: **McNulty Slough, Humboldt County (APN(s) 308-091-02)**

DESCRIPTION: **Conduct experimental eradication methods at 54 one-square-meter experimental plots within the intertidal zone of McNulty Slough to develop a management plan for the eradication of the invasive Japanese eelgrass, *Zostera japonica*. There will be three different treatment types (excavation, thermal, and covering) across 48 plots plus six control (no treatment) plots for a total of 54 one-square-meter experimental plots. The proposed treatment plots will be marked with PVC stakes for monitoring during the proposed one month monitoring period. At the six excavation plots, all *Z. japonica* and substrate will be removed by hand using shovels to a depth of four inches below the surface to ensure removal of rhizomes. All plant material and mud will be placed in heavy-gauge plastic bags and transported off-site for disposal at a landfill. At the 36 thermal plots, 12 will be treated with hot water (generated from a computer-controlled boiler mounted on a trailer operated from the boat ramp or levee and delivered via a supply hose and treatment wand), 12 with a hand-held propane flame weeder, and 12 will receive infrared treatment (using a hand-held propane burner aimed at a ceramic element or steel plate that radiates heat up to 2000 degrees). At the six covered plots, squares of perforated black plastic and carpet will be placed across plots, wired to plot corners with stakes, and covered with large clean river rocks to insure cover materials remain in place. Experimental plots will be monitored weekly for one month in November 2008, and based on the experiment results, a management plan for eradication of the larger area of invasive plants will be developed and a coastal development permit application will be submitted.**

RATIONALE: **The proposed experimental eradication project will provide needed information to determine the most efficient way to eradicate the invasive exotic plant with the least impact to the slough environment. To minimize impacts to intertidal habitat from the experimental project itself, the mudflat will be accessed from the public boat ramp at the end of the road or by stepping down from the adjoining CDFG Eel River Wildlife Area levee. Additionally, the researchers will wear "mudders" (overshoes designed to reduce compaction). Furthermore, all spoils, tools, and equipment will be carried rather than dragged across mudflats, and all spoils material will be disposed of at a designated landfill. Upon completion of the one month monitoring period, all materials will be removed from the site, including the carpet and plastic covering materials, rocks, and the**

PVC plot markers and stakes. As proposed, the project will not adversely affect coastal resources and is consistent with all applicable Chapter 3 policies of the Coastal Act.

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Friday, October 17, 2008, in Ventura . If four Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
PETER M. DOUGLAS
Executive Director


By: MELISSA KRAEMER
Coastal Program Analyst

cc: Local Planning Dept.

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: October 15, 2008
TO: Molly Jorge
FROM: Peter M. Douglas, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 1-08-041-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: Molly Jorge

LOCATION: 910 Jackson Ranch Road, Arcata (Humboldt County) (APN(s) 506-211-15)

DESCRIPTION: Rehabilitate an existing livestock well on an agricultural parcel by augering within the existing well casing and removing accumulated sand and other material from the well and spreading the removed material on an existing upland area.

RATIONALE: The agricultural well is located in an upland area on a working ranch and the well rehabilitation work to be performed would not involve disturbance of grazed seasonal wetlands that exist elsewhere on the ranch. Therefore, the development would not adversely affect wetlands or other environmentally sensitive habitat and the development is consistent with all applicable Chapter 3 policies of the Coastal Act.

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Friday, October 17, 2008, in Ventura. If four Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
PETER M. DOUGLAS
Executive Director


By: ROBERT MERRILL
District Manager

cc: Local Planning Dept.

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: October 15, 2008
TO: California Department Of Transportation, Attn: Mitchell Higa, Gail Popham & Alan Radford
FROM: Peter M. Douglas, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 1-08-042-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: California Department Of Transportation, Attn: Mitchell Higa, Gail Popham & Alan Radford

LOCATION: 4056 Highway 101 North, along the highway shoulder and median at Bracut (between Eureka and Arcata), Eureka (Humboldt County)

DESCRIPTION: Perform 23 subsurface soil borings, each approximately 3 inches in diameter, and extract soil samples for geotechnical investigation purposes and to determine the possible presence of soil contamination, as part of the planning and design of highway improvements between Eureka and Arcata. The soil samples and any pumped water associated with the sampling (which will be pumped and confined in barrels), will be disposed (without re-mixing the materials) in accordance with the laboratory recommendation. Boring locations will be backfilled with a bentonite (clay) mixture, without concrete, at a depth of at least two feet below surface (to avoid possible cross contamination of soil horizons due to surface water infiltration), with backfill of native soil in the upper two feet. The work will be undertaken during the rainy season with Best Management Practices and protocols (submitted with application) to ensure that each boring site is protected from runoff (no work will be undertaken if rain is predicted or commences and generates surface runoff). The work will be undertaken between October 20, 2008 and November 1, 2009.

RATIONALE: The extraction of the soil borings will be undertaken from the developed roadway or immediately adjacent to the roadway, using routine techniques commonly deployed by Caltrans for subsurface investigations. Although some areas are within delineated wetlands, no sensitive species will be disturbed, no vegetation would be removed nor would native soils be compacted by heavy equipment. No staging, storage of materials or equipment will be undertaken within wetland areas. All pertinent BMPs will be deployed during the investigation work, all extracted soils tested and disposed appropriately at a licensed facility or other appropriate, permitted location outside of the coastal zone in accordance with testing laboratory recommendations. The development will not have any adverse impacts on coastal resources and is consistent with all applicable Chapter 3 policies of the Coastal Act.

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Friday, October 17, 2008, in Ventura. If four Commissioners object to this waiver, a coastal development permit will be required.

Date: 10/15/2008

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Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
PETER M. DOUGLAS
Executive Director

Robert S. Merrill
ROBERT S. MERRILL FOR MF
By: MELANIE FAUST
Senior Staff Analyst

cc: Local Planning Dept.